From: Frank Manheim
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Subject: Observed problems and costs incurred because of Microsoft monopoly

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I am a chemist working at the U.S. Geological Survey National HQ in
Reston VA, and have experienced certain problems and costs due to
Microsoft policies in the course of my work. My observations and
opinions are my own and don't reflect official policy at USGS.

I don't have the expertise to know whether the below problems can be
legally applied to the remedies sought from Microsoft. But to the extent
my observations reflect similar problems experienced by other computer
users in governmental agencies and private industry, they imply
economically significant damage not related to browsers or middleware,
due directly and indirectly to anticompetitive practices of Microsoft.
I did not find these issues explicitly mentioned in the documentation
your recommended for examination.

1) Viruses. Microsoft's near-monoculture status in the U.S. and
elsewhere has made computers and servers running MS software an
especially tempting and damaging target for malicious purveyors of
viruses. In July of this year I was shut down for one week because of
the dangerous Nimda virus. Many other persons and some servers at USGS
were likewise affected. This affected my cooperation in groundwater
research with the Delaware Geological Survey, the University of
Delaware, and the National Park Service, as well as other USGS groups.
 The loss of working time for me from this episode alone is equivalent
in costs to more than half of the year's computer purchases made by me
and assistants. Damage from other viruses targeting Microsoft products
is widespread among users in my acquaintance. MacIntosh users have been
far less affected by viruses.
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2) Crashes and poor operating efficiency. Windows is famous for its
bugs and crash-prone performance. In my experience no other leading
software has been so prone to serious operational flaws so consistently.
When design flaws and problems emerge in ordinary software products,
they are either corrected, or competition emerges and the software is
superseded by better products. Performance problems have slowed my
everyday operations using Windows 95 and 98 in ways not experienced by
colleagues using MacIntosh. I have had to use Microsoft because of its
monopoly position in low-level database management software (until
recently) critical for my work.

3_Avoided or inflated-cost software support. Keeping software
functioning and solving use problems is a critical part of computer

efficiency. It is also expensive. When pioneering computer manufacturers slackened in support of their products - or priced it out of range, a number went out of business or were relegated to minor roles. This happened with commodore Computer and Ashton Tate's DBase line of database management products. In contrast, products like WordPerfect rose to leadership in large part because of outstanding support. Because of its dominance Microsoft has been able to push its own Office products into leading roles and then almost completely relegate costs of support for WORD, EXCEL, ACCESS, and POWERPOINT. to hardware manufacturers or third-party suppliers. Microsoft's own support - at monopoly-aided prices - is now mainly provided to larger busineses and agencies. Recently, my handheld device, Compaq'sIPAQ, suffered from synchronization problems due to bugs in Microsoft's Outlook driver (version 3.1). These flaws were beyond the ability of Compaq support staff to fix. But Microsoft's support page for its PDA drivers explicitly pointed out that responsibility for support of drivers was given to users and manufacturers. Business user support is provided at $245 per incident - almost half the cost of my PDA. In short, not only does Microsoft charge more for widely used office software but it has largely freed itself from the cost of supporting that software due to its monopoly position. That applies to virus control as well operating system and secondary products. It's as though General Motors dominated American auto production through key patents, and thereby was able to deemphasize product quality, and after a 30-day guarantee period, leave responsibility for failures and operating problems totally to dealers.

SUMMARY: The cost in time and personal efficiency owing directly or indirectly to Microsoft's dominance and policies sustained by that dominance I estimate as being at least 3-4 times my total yearly cost of computer equipment and software. At least 10% of my total computer use time is wasted or severely impacted by software difficulties in ways that are affected much less for other firms' software products. I realize that this may be harder to document or assess accurately, but I suggest that the effect may be measurable. Part of the normal and necessary cost associated with computer support from which Microsoft frees itself owing to its monopoly position could be estimated by calculating relative outlays for MS and other firms including Apple, Adobe, and Corel. To the extent that the courts accept the charge that Microsoft has wrongfully built and exploited its market dominance, then it should be penalized for the unfair advantages it has recovered through avoiding software support.

Respectfully submitted.